

PROTEST PROCEDURES FOR REQUEST FOR PROPOSALS

(Public Contract Code Section 10345)

1. Notification

- a. Five working days before making the award, the CDE will notify the lowest bidder by telephone, fax, overnight courier or personal delivery if the contract will be awarded to another bidder.
- b. If prior to the award any bidder files a protest against the awarding of the contract, the contract shall not be awarded until either the protest has been withdrawn or the Department of General Services has decided the matter.
- c. Within five working days after filing the protest, the protesting bidder shall file with the Department of General Services a full and complete written statement specifying the grounds for protest plus the "Invitation for Bid" number, the name of the State agency involved and the agency contract officer.

Protests may be sent by regular mail, fax, courier or personal delivery. Protestants should include their fax number if they have one.

2. Grounds for Protest

The lowest responsible bidder meeting the specifications was not awarded the contract.

3. Procedures

Procedures for filing protests under this section are:

- a. Disposition of Protests – Following receipt of a protest filed as prescribed, the Department of General Services shall determine whether the protest is to be resolved by written submission of material or by public hearing (Title 2, California Code of Regulations, Section 1195, et seq.)
- b. Hearing Procedures
 - (1) A hearing shall be conducted by the Director of the Department of General Services or by a designated representative pursuant to the applicable statutes and regulations.
 - (2) The Department of General Services arranges for all hearings to be recorded by a hearing reporter. Any interested party may arrange with the reporter to have a transcript prepared at his or her own costs.
 - (3) All of the costs of the proceeding will be charged to the CDE.